

EXHIBIT B



**Summary of an Incident (2/16/12) Involving Graduate Students
at the Center for Communication Disorders**

Paul W. Cascella
Professor and Program Director
2/20/12

Background Information

At @6:15pm on Thursday 2/16/12, I entered the Center for Communication Disorders and had a brief conversation with Lauren Zeirer, a clinical supervisor at the Center. She informed me there had been an incident with Holly Shalom earlier that afternoon.

As detailed in the attached emails, I have obtained information from the people involved in this incident: Ms. Shalom, two other students (Emily Stephenson and Meghan Ahern), and two additional clinical supervisors, Holly's (Lea Borenstein), and Meghan's (Diana Bousel [Dyckes]). In addition, I spoke with Jessica Lewis, another COMSC student who had been working as clinic secretary that afternoon. Also, Donald Vogel was present during my initial conversation with Ms. Zeirer. He reported that Ms. Zeirer had initially approached him and he counseled her that I needed to be contacted.

By way of background information, Ms. Shalom and Ms. Stephenson had a diagnostic evaluation from 1:00-3:00pm on 2/16/12 (which included the TOWL, a diagnostic test) and Ms. Shalom was supposed to conduct a treatment session at 5:00pm. In addition, Ms. Ahern had a therapy session at 4:00pm.

Summary

1. Ms. Shalom's Illness: From the information provided via email correspondence and verbal report, Ms. Shalom became ill during the 1:00-3:00pm diagnostic evaluation and was not able to conduct her 5:00pm therapy session. Ms. Shalom had difficulty communicating this information to her supervisor and 5:00pm client. She apologized to the client, and later sent an email apology to Ms. Borenstein and me. Ms. Shalom received counseling from Ms. Borenstein about how she might have better managed the situation.

2. Client and Diagnostic Materials: I received conflicting reports about the management of client and diagnostic materials from the 1:00-3:00pm diagnostic evaluation. Mrs. Bousel and Ms. Ahern report that materials were left in a clinic room while Ms. Shalom denies this and Mrs. Stephenson reports no knowledge of this.

If client and diagnostic materials were left in a therapy room, Ms. Shalom and Mrs. Stephenson are required to formally review the procedures associated with client

and diagnostic materials. In particular, if any of the materials had confidential client information, leaving the materials creates a breach of HIPAA. Given the conflicting accounts, this incident needs to be investigated further.

3. Session Interruption: I have received conflicting reports about whether Ms. Shalom interrupted Ms. Ahern's therapy session without permission or justification. Mrs. Bousel and Ms. Ahern report Ms. Shalom interrupted the session, while Ms. Shalom denies stepping into the room.

If the client's therapy session was interrupted, client confidentiality and Center protocol were compromised and Ms. Shalom is required to be counseled about clinic procedures. Given the conflicting accounts, this incident needs to be investigated further.

Next Step

This information will be shared with Associate Dean Marilyn Auerbach.

E-mail Correspondence

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Date: Thu, 16 Feb 2012 17:27:12 -0500

From: "Lea Borenstein MA., CCC-SLP" <leaborenstein@gmail.com>

Subject: Holly no show

To: Paul Cascella Hunter College <paul.cascella@hunter.cuny.edu>

Dr. Cascella,

We just received a phone call from Holly who was deeply upset and said she is too ill to conduct her first session with LC. After several minutes of trying to understand how dire her medical situation was we deduced that she Holly spoke to LC-who was here in the clinic to apologize.

Holly was not present for this session. I would imagine that you'd like to speak with me directly in this regard and I will be available before 8pm on my cell phone.

 cell.

Lea

Lea Borenstein M.A. CCC-SLP
Speech-Language Pathologist

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Date: Thu, 16 Feb 2012 20:13:29 -0500

From: Holly Shalom <hbs1984@AOL.com>

Subject: this afternoon

To: Paul Cascella <paul.cascella@hunter.cuny.edu>

Cc: "CCC-SLP Lea Borenstein MA." <leaborenstein@gmail.com>

Dr. Cascella,

During my evaluation this afternoon, I experienced severe menstrual cramps that became progressively worse. I tried to return to my apartment before my 5:00 session to retrieve therapy materials, and could not make it back to school. To have attempted to provide a therapy session this evening would have been unfair to the client.

I spent all week preparing for this session, and this was the very last thing I wanted to happen. I apologize to anyone inconvenienced by this (especially the client and her family), however this was beyond my control. I hope this never happens again.

Thank you,
Holly

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From: Paul Cascella <paul.cascella@hunter.cuny.edu>
To: Diana Dyckes <dee2d@ymail.com>
Sent: Friday, February 17, 2012 6:44 AM
Subject: unusual event

Hi Diana

I understand that there was an unusual event yesterday afternoon in clinic. Can you please write a description of what you observed and share it with me.

Thank you

Paul

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On Feb 17, 2012, at 6:50 AM, Paul Cascella wrote:

> Hello Holly
>

> Thank you for the note. I hope you are feeling better today.
>
> Please provide me with a more specific detailed description of the unusual event from yesterday afternoon. Specifically, please provide me with a description of your physical locations and actions and your verbal behavior with other graduate students, other therapy clients, your evening client, and your supervisor. This description should reflect the time between when your diagnostic evaluation ended and when the therapy session was supposed to begin.
>
> Please provide that description by 5:00 today.
>
> Thank you
>
> Paul

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Date: Fri, 17 Feb 2012 08:00:39 -0500
From: Diana Dyckes <dee2d@ymail.com>
Subject: Re: unusual event
To: Paul Cascella <paul.cascella@hunter.cuny.edu>
Hi Paul,

Indeed there was and I took notes on the event.

During one of my student's session, which was being conducted in room 103, at some point early into the session, which is from 4-4:45, the door opened and in walked student HS saying: "I left my jacket in here."

After the session (during post session feedback), I asked the student Meghan A. what had happened, She confirmed what I had heard and added that there was no coat/jacket in the room.

Additionally, before the session, my student was late getting started because she had

to gather up and put away the TOWLS test, which had been left in this same room.

(I spoke with the students supervisor on this matter afterwards.)

I'm in clinic from 1-6 on Tuesday and Thursdays for any follow up, if needed.

have a good weekend.

6.

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Date: Fri, 17 Feb 2012 08:28:58 -0500

From: Lea Borenstein <leaborenstein@gmail.com>

Subject: Re: Holly no show

To: Paul Cascella <paul.cascella@hunter.cuny.edu>

2/16/12

Holly relayed to me in the hallway, outside of the clinic that she was not feeling well, and that she would like to request that the session begin at 5:30pm, instead of 5pm. After discussing the possible change with Jess, at the clinic's front desk, Holly decided to call the client, to see if the session could be postponed, however, she was not able to get into contact with the client (LC). She also explained that she had taken some tylenol to relieve her symptoms.

Holly then explained that she would go to her apartment to get materials she left there (sometime between 4:30 and 4:45pm) during which time the client LC arrived at the clinic. Holly telephoned the front desk a few minutes after 5pm, and Jess received the call. Jess gave the phone to me. Holly was clearly upset and explained that she was not feeling well, she was on the street, and could barely stand up. She apologized profusely.

Holly was encouraged to plan out how she would like to inform the client exactly if she decided that she would prefer to cancel the session. After numerous attempts to deduce whether Holly would,

in fact, be cancelling the session, she was encouraged to speak directly to her client to discuss the change in plan. Her client spoke with her briefly and said the call was disconnected.

Later Holly sent an apology letter addressed to Dr. Cascella and myself.

Lea

Lea Stone Borenstein M.A. CCC-SLP, TSSLD
Speech-Language Pathologist
Adjunct Professor
Department of Communication Sciences
Hunter College, City University of New York

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Date: Fri, 17 Feb 2012 13:54:30 -0500
From: Holly Shalom <hbs1984@AOL.com>
Subject: Re: this afternoon
To: Paul Cascella <paul.cascella@hunter.cuny.edu>

Hello Dr. Cascella,

I thank you for your concern, and I am feeling better. Yesterday's occurrence was only unusual in the sense that what happened to me was unexpected, and quite embarrassing to say the least. I was looking forward to meeting my client, and did not enjoy or plan on having such severe pain, or having to negotiate my responsibilities. I will include the sequence of events as you asked, however, I sincerely hope this will not be held against me as I did everything in my power to try to try to carry off the session as planned. Again this was entirely beyond my control, as is any case of sudden illness.

During the evaluation, I started to experience very severe menstrual cramps, but tried to ignore it and and

finish the evaluation. After the evaluation had ended, I mentioned to Emily that I was in a lot of pain, and she offered me Tylenol. During the subsequent discussion of the evaluation with Lea, the pain became progressively worse. I can only describe it as sharp, stabbing abdominal and back pains (this was about 4:15). I mentioned to Lea that I was in a lot of pain. I asked if i could reschedule the session for 5:30 I hoped that if i went back home (my apartment is close by Hunter), and rested for an hour it would go away. I tried to call the client's home 3 times, but could not reach anyone. Afterwards (about 4:30) I went to get some water. I saw Lea in the hall, and mentioned to her that I could not reach the client by phone, and was going to attempt to go back home to retrieve papers I needed for the session.

As I was walking back home, I was practically unable to stand, and started to feel nauseous and dizzy from the cramps. I entered my apartment and called the clinic. At this point, it was difficult for me to speak about how I was feeling. The secretary answered the phone, and I told her that I was unable to come to the session. Afterwards, Lea went on the phone, and asked me what I wanted to do, and if I could come back for the session. I told her I was physically unable to come back, apologized, and offered to speak with the client's family. The 16 - year old client was put on the phone, and I apologized and informed her that I was not feeling well and could not see her that day. No other clients or students were involved in this situation.

Thank you for your consideration,
Holly

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Date: Fri, 17 Feb 2012 14:46:33 -0500
From: "Lea Borenstein MA., CCC-SLP" <leaborenstein@gmail.com>
Subject: Re: this afternoon
To: Holly Shalom <hbs1984@aol.com>
Cc: Paul Cascella Hunter College <paul.cascella@hunter.cuny.edu>

Hi Holly,

I am relieved that you are feeling better now. It did seem that you were quite upset when you called.

Some suggestions for handling such a situation in a more professional manner:

- 1) have a plan-decide whether your session will continue, be covered by another clinician or be cancelled, and be definitive.
- 2) decide the best way to discuss the change in plan with your client to ensure their satisfaction

Example: Speak to them personally and explain why the session is being changed. Offer an alternative plan if they require one (makeup session, coverage with another clinician, refund etc. according to the protocol of your facility)

- 3) allow your client to respond, and react with a plan for your next meeting.

It was not clear to me how you were going to deal with a client session that was awaiting your arrival when you called. It's imperative that it is clear to your colleagues and to supervisors what this plan will be (so the client may be guided).

I certainly cannot hold a sudden illness against you, and hope it never happens again.

It is my job to suggest the best ways to conduct yourself, professionally, when unexpected incidents occur.

Lea

Lea Borenstein M.A. CCC-SLP

student needed to clean-up your materials prior to starting her evening session.

Thank you

Paul

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Date: Sat, 18 Feb 2012 09:45:39 -0500

From: Paul Cascella <paul.cascella@hunter.cuny.edu>

Subject: unusual incident on Thursday

To: Holly Shalom <hbs1984@AOL.com>, Lea Borenstein <Leaborenstein@gmail.com>

Hello Holly and Lea

Holly, thank you for your detailed description of the unusual incident on Thursday.

I am writing to ask that you respond to two topics that were not included in your summary. I have received collateral reports from other clinic personnel and need for you to tell me if they are true and, if true, to describe your actions.

First, please identify whether you entered a therapy room on Thursday to retrieve your personal materials while another student was conducting a therapy session with a client. If true, please describe how you entered that therapy room and if you had permission from either the student clinician or the supervisor.

Also, please identify if you verbally stated that you needed to go to an emergency room. If true, please state to whom you stated this

and where you were located
when it was stated.

Thank you

Paul

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Date: Sat, 18 Feb 2012 11:31:19 -0500
From: Holly Shalom <hbs1984@AOL.com>
Subject: Re: unusual incident on Thursday
To: Paul Cascella <paul.cascella@hunter.cuny.edu>
Cc: "CCC-SLP Lea Borenstein MA." <leaborenstein@gmail.com>

Dr .Cascella,

When I called the clinic from my apartment, I did mention to the secretary that I felt as though I might have to go to the emergency room. Other than that, these reports you are receiving about me (in this email and the last one sent to Emily and I) are not true. I do not know where these reports are coming from, and would like to meet with you at your earliest convenience to resolve this matter. Please let me know when you will be available.

Thank you,
Holly

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Date: Sun, 19 Feb 2012 10:20:38 -0500
From: Paul Cascella <paul.cascella@hunter.cuny.edu>
Subject: Re: unusual incident on Thursday
To: "Holly Shalom" <hbs1984@AOL.com>
Cc: Lea Borenstein <Leaborenstein@gmail.com>

Hello Holly

Thank you for the note.